

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MAHDI BAYAT,	)	
	)	8:11CV77
Plaintiff,	)	
	)	ORDER
v.	)	
	)	
CREIGHTON UNIVERSITY and	)	
MICHAEL KELLEY,	)	
	)	
Defendants.	)	

This matter is before the court on the motion of James R. Welsh ([Filing No. 22](#)) to withdraw as counsel for the plaintiff Mahdi Bayat. The movant states there is a lack of communication with Mr. Bayat and a disagreement on the terms of representation. The movant served a copy of the motion on Mr. Bayat. **See** [Filing No. 22](#). The court will afford Mr. Bayat an opportunity to respond to the motion and/or obtain substitute counsel. Accordingly,

**IT IS ORDERED:**

1. James R. Welsh's motion to withdraw ([Filing No. 22](#)) is held in abeyance.
2. Mahdi Bayat shall have to **on or before February 27, 2012**, to respond to the motion to withdraw by filing a brief with the Clerk of Court. If no response is received or if substitute counsel has entered an appearance by that date, the motion to withdraw will be granted. If the motion to withdraw is granted and substitute counsel has not entered an appearance, Mahdi Bayat will be considered proceeding *pro se*.
3. Moving counsel shall serve a copy of this order on his client and file a certificate of such service with the court.
4. The telephone planning conference scheduled for January 27, 2012, is cancelled.

DATED this 26th day of January, 2012.

BY THE COURT:  
s/ Thomas D. Thalken  
United States Magistrate Judge